

District Court of the United States for said district a libel praying seizure and condemnation of 150 sacks of cottonseed meal, remaining in the original unbroken packages at Limerock, Pa., consigned by the Eastern Cotton Oil Co., Hertford, N. C., alleging that the article had been shipped from Hertford, N. C., on or about November 3, 1927, and had been shipped from the State of North Carolina into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Cotton Seed Meal * * * Manufactured by Eastern Cotton Oil Co. * * * Guarantee Protein not less than 41 per cent."

It was alleged in the libel that the article was misbranded in that the statement, "Protein not less than 41 per cent," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On February 17, 1928, the Eastern Cotton Oil Co., Hertford, N. C., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law, and be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

15611. Adulteration and misbranding of butter. U. S. v. 13 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22475. I. S. No. 21463-x. S. No. 507.)

On or about January 28, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 tubs of butter, remaining in the original unbroken packages at New York, N. Y., consigned by the Scandinavian Creamery Co., Viborg, S. Dak., January 14, 1928, alleging that the article had been shipped in interstate commerce from the State of South Dakota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance deficient in butterfat had been mixed and packed therewith so as to lower or injuriously affect its quality and strength, and had been substituted in whole or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the descriptive name of another article.

On February 9, 1928, the Scandinavian Creamery, of Viborg, S. Dak., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$450, conditioned in part that it be reprocessed so as to contain at least 80 per cent of butterfat.

W. M. JARDINE, *Secretary of Agriculture.*

15612. Misbranding of cottonseed meal. U. S. v. 600 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22248. I. S. No. 23140-x. S. No. 301.)

On December 2, 1927, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 600 sacks of cottonseed meal, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Traders Oil Mill Co., from Fort Worth, Tex., November 25, 1927, and had been transported from the State of Texas into the State of Minnesota, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "43% Protein Cottonseed Meal Prime Quality. Manufactured by Traders Oil Mill Co. Fort Worth, Texas. Guaranteed Analysis Crude Protein not less than 43%."

It was alleged in the libel that the article was misbranded, in that the statements, "43% Protein" and "Guaranteed Analysis Crude Protein not less than

43%," borne on the label, were false and misleading and deceived and misled the purchaser.

On December 28, 1927, the International Sugar Feed Co., Minneapolis, Minn., having appeared as claimant for the property and having consented to the forfeiture and condemnation of the product, a decree was entered ordering release of the said product to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,800, conditioned in part that it be rebranded and retagged.

W. M. JARDINE, *Secretary of Agriculture.*

15613. Adulteration of dried apple chops. U. S. v. 644 Sacks of Dried Apple Chops. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22367. I. S. No. 19802-x. S. No. 411.)

On January 9, 1928, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 644 sacks of dried apple chops, remaining in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped by the Denney Fruit Co., from Payette, Idaho, November 30, 1927, and had been transported from the State of Idaho into the State of Ohio, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it contained an added poisonous substance which might have rendered it injurious to health.

On January 19, 1928, Edward T. Klum & Son having appeared for Rosenberg Bros. & Co., Cincinnati, Ohio, claimant, and having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, conditioned in part that it be salvaged under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

15614. Misbranding of cottonseed meal. U. S. v. 400 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22260. I. S. No. 23302-x. S. No. 311.)

On December 5, 1927, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed meal, remaining in the original unbroken packages at Appleton, Wis., alleging that the article had been shipped by the Traders Oil Mill Co., from Fort Worth, Tex., November 28, 1927, and had been transported from the State of Texas into the State of Wisconsin, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Steerboy Brand Cotton-Seed Meal * * * Guaranteed Analysis Protein 43 per cent Manufactured in U. S. A. for S. P. Davis, Shipper, Little Rock, Ark."

It was alleged in the libel that the article was misbranded in that the statement, "Protein 43 per cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On December 16, 1927, the Traders Oil Mill Co., Fort Worth, Texas, having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

15615. Adulteration of fig paste. U. S. v. 50 Boxes of Fig Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22270. I. S. No. 17330-x. S. No. 295.)

On December 5, 1927, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 boxes of fig paste, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by R. Fair, Modesto, Calif., on or about November 11, 1927, and had been transported from the State